

Attorney Docket No. 033082 M 334

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Confirmation No.: 6363

**Kenji SUZUKI, et al.**

International Application No.: PCT/JP 2005/001245 Group Art Unit: To Be Assigned

International Filing Date: January 28, 2005

Examiner: To Be Assigned

Serial No.: 10/585,828

Filed: July 12, 2006

For : SEMICONDUCTOR DEVICE

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/  
ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

A Response to the Notification of Missing Requirements Under 35 U.S.C. 371, mailed July 1, 2008 is due by September 1, 2008. Applicants file herewith the following documents relating to the above-identified application:

- \* A copy of the Notice of Missing Requirements;
- \* English language translation of specification (25 pages);
- \* Listing of Claims with attached Translation of Amendment (November 28, 2005)  
Under Article 34 of PCT;
- \* Formal Drawings (7 sheets and figs. 1-7);
- \* Second Information Disclosure Statement;
- \* Executed Assignment (2 pages), with Assignment Recordation Cover Sheet;
- \* Executed Declaration/Power of Attorney (4 pages); and
- \* Check for \$300.00 in payment of the following:
  - English translation surcharge (\$130)
  - Late declaration surcharge (\$130), and
  - recordation fee (\$40).

If any additional fees are due in connection with this filing, such as fees under 37 C.F.R. §§ 1.16 or 1.17, the Commissioner is authorized to charge the fees to SGR Deposit Account No. 02-4300. Please credit any overpayment to SGR Deposit Account No. 02-4300.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By :



Michael A. Makuch, Reg. 32,263  
1130 Connecticut Avenue, Suite 1130  
Washington, D.C. 20036  
Telephone: 202 263 4300  
Facsimile : 202 263 4329

Date : August 29, 2008

09/02/2008 MKAYPAGH 00000008 10585828

01 FC:1617	130.00 OP
02 FC:1618	130.00 OP



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/585,828	Kenji Suzuki	33082M334

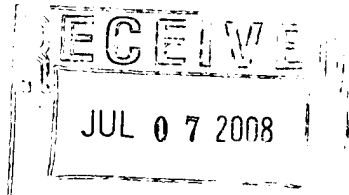
441  
SMITH, GAMBRELL & RUSSELL  
1130 CONNECTICUT AVENUE, N.W., SUITE 1130  
WASHINGTON, DC 20036

INTERNATIONAL APPLICATION NO.	
PCT/JP05/01245	
I.A. FILING DATE	PRIORITY DATE
01/28/2005	01/29/2004

**CONFIRMATION NO. 7228**  
**371 FORMALITIES LETTER**



Date Mailed: 07/01/2008



## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 07/12/2006
- Copy of the International Search Report filed on 07/12/2006
- Information Disclosure Statements filed on 07/12/2006
- Request for Immediate Examination filed on 07/12/2006
- U.S. Basic National Fees filed on 07/12/2006
- Non-English Language Application filed on 07/12/2006

*MAM*  
*088082, 334*  
*Missing parts due 9/1/08*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

**KTG**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FREDERICK SMITH

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Telephone: (703) 308-9140 EXT 210

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:	)	
	)	
<b>Kenji SUZUKI, et al.</b>	)	
	)	
U.S. Serial No.: 10/585,828	)	Group Art Unit: To Be Assigned
	)	
Filed: July 12, 2006	)	Examiner: To Be Assigned
	)	
For: SEMICONDUCTOR DEVICE		

**FORMAL DRAWING TRANSMITTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith are seven (7) formal drawing sheets which are to replace the originally filed drawing sheets. The enclosed drawings are respectfully submitted to satisfy all formal drawing requirements.

If for any reason the enclosed drawings are not deemed to satisfy all formal drawing requirements, telephone contact with the undersigned attorney is respectfully requested.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By:



Michael A. Makuch, Reg. No. 32,263  
1130 Connecticut Avenue, Suite 1130  
Washington, D.C. 20036  
Telephone: (202) 263-4300  
Fax: (202) 263-4329

Date: August 29, 2008

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL for FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$300.00

Complete if Known

Application Number 10/585,828  
Filing Date July 12, 2006  
First Named Inventor Kenji SUZUKI  
Examiner Name Not Yet Assigned  
Art Unit Not Yet Assigned  
Attorney Docket No. 033082 M 334

## METHOD OF PAYMENT (check all that apply)

- ☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : \_\_\_\_\_
- ☒ Deposit Account Deposit Account Number: 02-4300 Deposit Account Name: Smith, Gambrell & Russell, LLP
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below,  
☒ Charge any additional fee(s) or underpayments of fee(s) ☐ Credit any overpayments  
Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

### 2. EXCESS CLAIM FEES

#### Fee Description

Each claim over 20 (including Reissues)

Fee (\$)

50

Each independent claim over 3 (including Reissues)

210

Multiple dependent claims

370

#### Total Claims

#### Extra Claims

Fee(\$)

Fee Paid (\$)

14-20 or HP=

0

x

\$50

=

0

HP = highest number of total claims paid for, if greater than 20.

#### Indep. Claims

#### Extra Claims

Fee(\$)

Fee Paid (\$)

2- 3 or HP=

0

\$210

=

0

HP = highest number of independent claims paid for, if greater than 3.

#### Small Entity

Fee (\$)

50

210

370

#### Multiple Dependent Claims

Fee (\$)

\$370

Fee Paid (\$)

\$0

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

- 100 = 0 / 50 =

0

(round up to a whole number) x

= 0

### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

\$130.00


Other (e.g., late filing surcharge): Late Filing Surcharge

\$130.00

Recordation Assignment Fee

\$40.00

## SUBMITTED BY

Signature  Registration No. 32,263 Telephone 202 263 4300  
(Attorney/Agent)  
Name (Print/Type) Michael A. Makuch Date August 29, 2008